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9 October 1997
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fifty-second session
Agenda item 37
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-second year

Letter dated 7 October 1997 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's attacks on southern Lebanon and the Western Bekaa and the arbitrary practices against the civilian inhabitants in which it engages on a daily basis, I have the honour to notify you of the series of such incidents that took place in September 1997.

1 September 1997

At 0600 hours the Jabbur pool and Jabal Abi Rashid came under Israeli artillery fire that continued until 0610 hours.

At 1330 hours outlying areas of Kafra, Yatar and Haris came under Israeli artillery fire, receiving some 20 shells of various calibres.

At 1800 hours the shelling of outlying areas of Kafra, Yatar, Haris, Haddatha and Bra'shit resumed.

At 2055 hours Israeli warplanes and helicopters overflew the Nabatiyah area at high altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

2 September 1997

At 1300 hours Israeli warplanes overflew the Iqlim al-Tuffah area at high altitudes.

At 2000 hours Israeli warplanes overflew Sidon and the nearby camps and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

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On the night of 2 to 3 September Israeli forces raided a number of houses in Khiyam, Dibbin and Balat in Marj Uyun district, detained a number of persons and prevented villagers from leaving the area of the border strip.

3 September 1997

At 0730 hours outlying areas of Jba' and Ayn Bu Siwar came under Israeli artillery fire.

At 1615 hours outlying areas of Zibqin, Ramadiyah and Shu'aytiyah came under Israeli artillery fire.

At 2300 hours outlying areas of Tibnin in Bint Jubayl district came under Israeli artillery fire.

4 September 1997

At 1345 hours Israeli warplanes overflew the Nabatiyah area at medium altitudes.

5 September 1997

At 0100 hours the environs of the Adlun post and the townships of Insariyah, Lubya and Adlun came under Israeli artillery fire. This was accompanied by overflights by Israeli warplanes, which were met by ground-based anti-aircraft fire. Israeli naval vessels and helicopters attempted to carry out a landing on the seashore at Sarafand and Munis in Sidon district and directed a number of bursts of fire at houses and vehicles. Serious damage was done and one person was injured.

At 0200 hours Israeli warplanes overflew the Tyre area at low altitudes and were met by ground-based anti-aircraft fire.

At 0330 hours Israeli warplanes and helicopters overflew the Nabatiyah area at medium altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

7 September 1997

At 0630 hours outlying areas of Nabatiyah al-Fawqa, the environs of the abandoned Lebanese Army barracks there and Wadi Habbush came under Israeli artillery fire. This continued until 0830 hours.

At 0705 hours Israeli warplanes overflew Nabatiyah at low altitudes.

At 1300 hours Lebanese Army forces found an explosive charge left behind in the recent Israeli landing between Lubya and Insariyah. They dismantled the device.

8 September 1997

At 1530 hours outlying areas of Tibnin, Haddatha, Ayta al-Jabal, Haris and Bra'shit came under artillery fire from Israeli and Lahad militia positions in the border strip. Israeli helicopters also overflew the Bint Jubayl area.

At 2000 hours outlying areas of Kafr Rumman and the environs of the abandoned Lebanese Army barracks in Nabatiyah al-Fawqa came under Israeli artillery fire.

9 September 1997

At 1030 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitudes carrying out a number of mock attacks. They were met by ground-based anti-aircraft fire.

At 1100 hours a fire started in an outlying area to the south of Jarju'. At 1300 hours it was extinguished by civil defence personnel. It transpired that the fire had been caused by heat balloons dropped by Israeli warplanes.

At 2245 hours Israeli helicopters overflew Sidon at medium altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

10 September 1997

At 0530 hours Israeli helicopters overflew Sidon at medium altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

At 1115 hours the Libbaya hills in Western Bekaa district came under Israeli artillery fire.

At 1500 hours outlying areas of Tibnin, Ayta al-Jabal, Haddatha, Haris, Tulin, Qabrikha, Sawwanah and Majdal Silm came under Israeli artillery fire.

At 2230 hours outlying areas of Tibnin, Ayta al-Jabal, Haddatha, Haris, Kafra, Yatar, Bra'shit and Shaqra came under Israeli artillery fire. Israeli helicopters also engaged in strafing, and this caused a fire in an outlying area of Tibnin that destroyed some 30 dunums.

11 September 1997

At 0945 hours Israeli warplanes overflew Marj Barja in Shuf district at low altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

At 2230 hours Israeli helicopters overflew the Nabatiyah area, and at 2250 hours they carried out a three-stage attack on a Lebanese Army site in the Arabsalim - Jarju' - Humin al-Fawqa triangle and on a Lebanese Army post located in a school in the southern part of Arabsalim. Six Lebanese Army personnel were killed and five were wounded. Two vehicles were also destroyed and one civilian

woman was killed. In the meantime, outlying areas of Arabsalim, Humin al-Fawqa and Ayn Bu Siwar and areas along the Zahrani River came under Israeli artillery fire.

13 September 1997

At 1710 hours an area of Jabal Mashgharah near the dwellings and the environs of the Syrian forces compound to the south of the town received intermittent bursts of heavy-weapons fire from Israeli and Lahad militia positions in Tumat Niha.

14 September 1997

At 0100 hours outlying areas of Qabrikha, Majdal Silm, Tulin, Bra'shit, Tibnin, and Ayta al-Jabal came under Israeli artillery fire.

At 0215 hours outlying areas of Jarju', Ayn Bu Siwar, Jba' and Ayn Qana and areas along the Zahrani River came under artillery fire from Israeli positions in the border strip.

At 1350 hours the Jabal Mashgharah heights and the environs of the Sharaf hospital refrigeration plant came under artillery fire from Israeli forces and Lahad forces at the Tumat Niha position. The shelling stopped at 1500 hours while intermittent machine-gun rounds continued to be fired. The shelling caused a huge fire on the uppermost summit of Jabal Mashgharah facing the Israeli forces in Tumat Niha.

At 1930 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitudes. Israeli warplanes also overflew Barja and Marj Barja in Shuf district and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army. At the same time, they also overflew the Tyre area at medium altitude.

At 2030 hours outlying areas of Zawtar al-Sharqiyah and Zawtar al-Gharbiyah in Nabatiyah district came under Israeli artillery bombardment.

15 September 1997

At 1200 hours Israeli warplanes overflew the Iqlim al-Tuffah and Nabatiyah areas at medium altitude. This was accompanied by an Israeli artillery bombardment of outlying areas of Jarju' and Ayn Bu Siwar.

At 1345 hours outlying areas of Jba', Ayn Bu Siwar, Jarju', Arabsalim and Humin al-Fawqa, the Mlita and Jabal Safi hills and Kafr Rumman came under Israeli artillery fire. It stopped at 1530 hours.

16 September 1997

At 1125 hours Israeli warplanes overflew Sidon and the nearby camps.

At 1450 hours warplanes overflew the Nabatiyah area at medium altitudes.

17 September 1997

At 0800 hours outlying areas of Arabsalim and Jarju' and the Mlita and Jabal Safi hills came under Israeli artillery fire.

At 1300 hours outlying areas of Haris, Kafra and Ayta al-Jabal came under artillery fire from Israeli forces and Lahad militia positions in the occupied border strip.

At 1545 hours Israeli warplanes overflew the Nabatiyah area at medium altitude.

18 September 1997

At 0630 hours the security situation in the Jabal al-Rayhan area became tense and clashes took place between men of the Lebanese national resistance and Israeli forces and Lahad militia elements in which all types of weapons were used. Some rocket projectiles fell in Rayhan in Jazzin district and one citizen was injured.

At 0700 hours the security situation in the Tumat Niha area in Jazzin district became tense and there were clashes between men of the Lebanese national resistance and Lahad militia elements in which all types of weapons were used. The clashes stopped at 0800 hours.

At 0700 hours outlying areas of Tibnin, Ayta al-Jabal, Haddatha, Haris and Bra'shit came under Israeli artillery fire. The environs of Nabatiyah al-Fawqa and the abandoned Army barracks there also came under artillery fire and received bursts of fire from the Israeli positions in the border strip.

At 0720 hours the southern environs of Mashgharah near the vocational school buildings came under Israeli artillery fire.

At 0750 hours the Israeli bombardment of outlying areas of Tibnin, Ayta al-Jabal, Haddatha, Haris and Bra'shit was extended to include Tulin, Qabrikha, Kafra, Sawwanah, Khirbat Silm and Majdal Silm. The bombardment of outlying areas of the same towns resumed at 1130 hours.

At 0800 hours outlying areas of Arabsalim, Jarju' and Ayn Bu Siwar came under Israeli artillery fire. It stopped at 1200 hours after two homes in Arabsalim had been damaged.

At 0830 hours the Israeli bombardment of the environs of Nabatiyah al-Fawqa stopped after it had been extended to outlying areas of Zawtar al-Sharqiyah, Zawtar al-Gharbiyah, Habbush, Kafr Rumman, Kafr Tibnit and Nabatiyah al-Tahta. Five citizens were wounded and a number of houses and vehicles were damaged.

At 0900 hours Israeli warplanes attacked Jabal Mashgharah in Western Bekaa district and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

At 1000 hours outlying areas of Mansuri and Jabal Zun in Tyre district came under Israeli artillery fire.

19 September 1997

At 2145 hours the Israeli artillery bombardment of outlying areas of Tibnin, Ayta al-Jabal and Haddatha was resumed.

21 September 1997

At 0700 hours outlying areas of Kafr Rumman and Nabatiyah al-Fawqa and the abandoned Lebanese Army barracks came under Israeli artillery fire.

At 2000 hours the environs of the abandoned Lebanese Army barracks in Nabatiyah al-Fawqa came under Israeli artillery fire.

23 September 1997

At 1200 hours outlying areas of Habbush, Arabsalim and Jarju', the Mlita and Jabal Safi hills and areas along the Litani River came under Israeli artillery fire. It stopped at 1800 hours.

At 1500 hours the Jabal al-Rayhan and Aramta areas came under artillery and rocket fire from the west.

At 1515 hours Ayta al-Jabal, Haddatha, Haris and Bra'shit came under Israeli artillery fire. This was accompanied by intensive overflights of the area by Israeli warplanes.

At 2000 hours Israeli warplanes overflew the Tyre area at medium altitude.

At 2040 hours Israeli warplanes overflew the Mashgharah area and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

At 2130 hours Israeli warplanes overflew the Nabatiyah area at medium altitude.

24 September 1997

At 0800 hours outlying areas of Libbaya in Western Bekaa district came under Israeli artillery fire. Israeli forces on board a naval vessel also fired at a fishing boat off Mansuri in Tyre district and caused it major damage.

At 1515 hours Israeli aircraft overflew the Nabatiyah area at low altitude and carried out mock attacks and in the Iqlim al-Tuffah area in particular. They were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

25 September 1997

At 0915 hours outlying areas of Tibnin, Bra'shit, Ayta al-Jabal and Haddatha came under Israeli bombardment.

At 1115 hours the Israeli artillery bombardment of outlying areas of Tibnin, Ayta al-Jabal, Bra'shit and Haddatha resumed, causing a fire in a garden attached to a house.

26 September 1997

At 1130 hours Israeli aircraft overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitudes.

27 September 1997

At 2121 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at medium altitudes and were met by ground-based anti-aircraft fire from units belonging to the Lebanese Army.

29 September 1997

At 1100 hours outlying areas of Majdal Silm, Khirbat Silm, Sawwanah, Qabrikha and Tulin came under Israeli artillery fire.

30 September 1997

At 0530 hours outlying areas of Shaqra, Majdal Silm and Qabrikha came under Israeli artillery fire.

At 0745 hours outlying areas of Jarju', Arabsalim, Ayn Bu Siwar and Luwayzah came under Israeli artillery fire.

At 1330 hours outlying areas of Bra'shit and Tibnin came under Israeli artillery fire.

The Lebanese Government strongly condemns the continued Israeli occupation and these fresh attacks and arbitrary practices inflicted on the Lebanese population, which have left a number of casualties and have caused further serious damage to property.

Like previous attacks, this new series is in flagrant violation of the sovereignty and independence of Lebanon and constitutes a breach of the purposes and principles of the Charter of the United Nations, of international law and of basic human rights.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/781
9 October 1997

ORIGINAL: ENGLISH

LETTER DATED 8 OCTOBER 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I regret to inform you once again that the National Islamic Front (NIF) regime of the Sudan has continued its act of aggression against my country, the State of Eritrea.

On Friday, 3 October 1997, at 0630 hours, a Sudanese Antonov military plane flew 8 kilometres into Eritrean territory and dropped cluster bombs on the area of Eastern Mekit which is located in the Gash-Barka region.

My Government found it compelling to bring this to your attention and I should be grateful if you would kindly circulate the text of the present letter as a document of the Security Council.

(Signed) Tesfa Alem SEYOUM
Chargé d'affaires a.i.

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UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/782
9 October 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to refer to the letter dated 2 October 1997 addressed to you from the Permanent Representative of Iraq, alleging that a Kuwaiti maritime patrol opened fire on Iraqi Coast Guard patrol boats on 25 September 1997. I should like to inform you of the facts in this regard, as follows.

1. These allegations are merely one more in a series of slanders which the Iraqi regime is in the habit of spreading for purposes of provocation, in order to instigate crises. The Kuwaiti competent authorities categorically reject these false charges.

2. The Kuwaiti competent authorities requested information from the United Nations Iraq-Kuwait Observation Mission (UNIKOM) command concerning this alleged incident, but UNIKOM stated that it was not informed about this incident. This confirms the falsity of the allegations and makes clear the intentions of the Iraqi regime and the aim of its policy, which is to instigate crises and arouse tensions in the region.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

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UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/783
9 October 1997

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit herewith the English translation of note verbale No. 643/1184 dated 19 May 1997 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of the Republic of Iraq in Tehran. The note concerns the repeated harassment and the firing upon Iranian boats by the Iraqi tugboat Alhamra, in violation of the ceasefire between the two countries and of the Tehran Agreement of 6 January 1991.

It would be appreciated if the text of the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

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Annex

Note verbale dated 19 May 1997 from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of the Republic of Iraq in Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the Republic of Iraq in Tehran and has the honour to state the following:

Relevant Iranian authorities have reported that Iranian boats cruising from Kuwait to the Iranian ports have repeatedly been intercepted and harassed by the Iraqi ships in the Khor Abdullah area. In one instance, the Iraqi forces destroyed the communication equipment of an Iranian boat and removed the property of its passengers.

Moreover, on 12 March 1997, an Iranian dhow, belonging to Mr. Hussein Mohammadi, coming from Kuwait towards Khorramshahr, while passing Khor Abdullah towards the mouth of Shatt al-Arab, was pursued by the Iraqi tugboat Alhamra to Arvand Kenar where it came under fire from the Iraqi tugboat. A number of other Iranian sailors have also identified the same Iraqi tugboat, Alhamra, as harassing and at times firing upon them.

The Government of the Islamic Republic of Iran registers its strong objections to such illegal and aggressive acts which are against the Tehran Agreement of 6 January 1991 and the principles of good-neighbourliness and friendly relations between the two countries. The Government of the Islamic Republic of Iran holds the Government of Iraq responsible for the continuation of such actions which are in violation of international law and of Iranian sovereignty, and herewith calls upon the Government of Iraq to halt such hostile actions.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/784
9 October 1997

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government and with reference to the letter dated 20 May 1997 from the Chargé d'affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations (S/1997/383), I have the honour to transmit herewith the responses of the Government of the Islamic Republic of Iran to annexes I and II to the letter respectively, as follows:

1. Construction and development of public works on Abu Musa are solely to provide facilities for furthering the welfare of the residents of the island.

The Islamic Republic of Iran reaffirms its position of principle, as reflected in the letter dated 1 October 1996 from the Permanent Representative of the Islamic Republic of Iran to the United Nations (S/1996/818), and continues to believe that it is only through bilateral negotiations that misunderstandings may be resolved. Furthermore, the Islamic Republic of Iran holds that the practice of transmitting, circulating and proliferating letters such as the one referred to above in international organizations could hardly conform to either the spirit of good-neighbourly relations or the requisite good faith and understanding between the two countries; it is a practice which should be desisted from.

2. The Government of the Islamic Republic of Iran considers any kind of interference in its internal affairs by other States as a violation of the principles of international law and of its national sovereignty and territorial integrity and categorically rejects it.

I should be grateful if you could have the text of the present letter circulated as a document of the Security Council.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

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UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/52/449
S/1997/785
10 October 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 8 October 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 7 October 1997, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

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ANNEX

Letter dated 7 October 1997 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 29 September 1997 addressed to you by the Greek Cypriot representative at the United Nations (A/52/411-S/1997/761), which contains allegations regarding "violations of the airspace of the Republic".

Similar allegations, which are put forward to project the false image that the Greek Cypriot side has sovereignty over the whole of the island, have been amply dealt with and refuted in my previous successive communications addressed to you, most recently in my letter dated 30 September 1997 (A/52/422-S/1997/766, annex). I will therefore confine myself to reiterating that flights within the airspace of the Turkish Republic of Northern Cyprus take place within the sphere of competence and jurisdiction of the TRNC authorities and the Greek Cypriot side has no say in the matter whatsoever.

It is regrettable that the Greek Cypriot side persists in its campaign of harmful rhetoric and intensive militarization. Evidently, the Greek Cypriot side is far from coming to terms with the existing realities and the concept of a new partnership with the Turkish Cypriot side on the basis of sovereign equality. I trust that all concerned will impress upon the Greek Cypriot side that it is high time that common sense and realism should prevail, if there is to be a peaceful settlement of the Cyprus dispute.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) AYTUĞ PLÜMER
Representative
Turkish Republic of Northern Cyprus

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/786
10 October 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to notify you of continued violations of the ceasefire resolution and the Teheran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 25 July 1997 and 3 October 1997, as shown in the list annexed hereto.

I should be grateful if you would have the present letter and its annex, containing the details of Iranian violations, circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

List of violations

1. 25 July 1997

Iranian military units shot and killed Iraqi citizen Ali Mahdi Haliji Alnufli, who was fishing in the eastern lakes of Iraq, in the province of Maysan.

2. 7 and 8 August 1997

The Iranian side fired on a group of Iraqi fishermen who were fishing in Lake Umm Alniaj in Iraqi territory, killing one of the fishermen (Ahmid Qazim Hassan).

3. 20 August 1997

Iranian military units killed an Iraqi citizen named Salim Farhan Darwish Al-kabi and kidnapped Hamid Jaafar Salih and Fadil Majbal Hatiim, who had been gathering wood in the Tayb zone inside Iraqi territory with their vehicle, a Land Rover pick-up truck.

4. 24 August 1997

While he was fishing in the eastern lakes inside Iraqi territory, four persons aboard an Iranian vessel opened fire on Iraqi citizen Kazim Farhan Matshar Alnufli, wounding him in the left thigh.

5. 28 August 1997

At 1830 hours five small Iranian fibreglass patrol vessels, equipped with 48-horsepower Yamaha motors and each carrying three civilians, emerged from the vicinity of Abadan heading towards the southern Shatt al-Arab. At 0350 hours on 29 August 1997, the vessels returned to their point of departure.

6. 31 August 1997

At 1830 hours five small red Iranian fibreglass patrol boats with 48-horsepower Yamaha motors, each carrying three unarmed passengers, emerged from the Abadan area at coordinates 40558 (1:100,000 map of Saybah) and deployed in the Shatt al-Arab between Abadan and the area opposite Fayidah at coordinates 515430. On 1 September 1997, at 0600 hours, the boats returned to their point of departure.

7. 7 September 1997

At 1300 hours one of the Iranian positions opposite the Wasiliya area at coordinates 415545 (1:100,000 map of Saybah) opened fire on an Iraqi fishing boat which was recovering the bodies of two persons who had drowned in the Shatt al-Arab.

8. 8 September 1997

At 1700 hours the Iranian side set up a customs post in the Kosroabad region at coordinates 517409 (1:100,000 map of Saybah) across from the Iraqi region of Fayidah. The post is composed of a large pontoon carrying a grey pick-up vehicle, and the Iranian side inspects the Iranian boats entering and leaving the port of Abadan. About 15 persons are stationed there, some in military uniform and others in civilian clothing.

9. 13 September 1997

At 0900 hours, the Iranian side kidnapped two Iraqi frontier policemen as they were gathering wood in the Kilal region in Iraqi territory. They were released on 1 October 1997.

10. 13 September 1997

At 1555 hours, two small Iranian patrol boats, each with three persons aboard in civilian clothing, came within 500 metres of the port of Al-Bakr. At 1558 hours, the two boats sailed away towards the Iranian coast.

11. 16 September 1997

The Iranian authorities kidnapped the Iraqi citizen Khalf Jbitar Najm Abdullah Al-Mandlawi near Mandali, on the border, while he was gathering wood.

12. 21 September 1997

At 1200 hours, two small Iranian fibreglass boats came within 150 metres of the port of Al-Bakr, where they sailed around the port for three minutes before sailing away towards the Iranian coast. The first boat carried four civilians and the second, two civilians.

13. 21 September 1997

The Iranian side kidnapped Qasim Abad Al-Hussein Hamoudi in the Amghar area at coordinates 8803. The Iranians began to question him. On 22 September 1997, at 1600 hours, they took him along the frontier road near the above-mentioned area.

14. 23 September 1997

(a) At 0800 hours, a unit of the Iranian military engineering corps was seen setting up four posts in the Shatt al-Arab across from Ras Al-Bicha at coordinates 677150 (1:100,000 map port of Al-Bakr). The sappers, who used a tugboat to pull a pontoon carrying a crane, were escorted by an Iranian white fibreglass boat, with three civilians aboard. The engineering unit left the same day.

(b) At the same time, an eight-member engineering unit, equipped with three cranes, a Land Rover vehicle and a pick-up vehicle, was seen crossing a

field near the site mentioned in paragraph (a), where they remained to continue their work.

15. 24 September 1997

At 1800 hours, three Iranian fibreglass patrol boats with 48-horsepower motors, two of them red and the third grey, each carrying three civilians, left Abadan and Kosroabad, at coordinates 51400 (1:100,000 map of Siba). On 25 September 1997, at 0600 hours, all the boats withdrew.

16. 29 September 1997

At 0705 hours, six Iranian F-4 aircraft attacked the special camp at Kut and dropped three bombs.

17. 17 September 1997

At 0715 hours, four Iranian F-4 aircraft attacked the special camp at Jalulá; our anti-aircraft defence weapons returned fire and forced them to turn back. The aircraft dropped four missiles, which had the following effects:

(a) Four Iraqi soldiers suffered moderate to serious wounds;

(b) Three Land Rover vehicles carrying radiological equipment were hit, sustaining moderate damage;

(c) An Iraqi ground radio broadcasting station was hit sustaining moderate damage;

(d) A power-generation unit of the Iraqi radio station was hit, sustaining moderate damage.

18. 29 September 1997

At 1000 hours, three helicopters were observed above Zin Al-Qaws, where they circled for five minutes before returning to Iranian territory.

19. 29 September 1997

At 1100 hours, three helicopters were observed above the Iranian guardposts opposite the Halali border post at coordinates 4573, flying northward along the international border.

20. 29 September 1997

At 1350 hours an unarmed camouflaged Iranian helicopter was spotted at coordinates 8409 heading south-eastward. At 1400 hours it returned towards the Iranian hinterland and disappeared at coordinates 9302. It flew at an altitude of 3,000 metres for 10 minutes at a distance of 3 kilometres within Iranian territory.

21. 29 September 1997

At 1030 hours a group of Iranian elements composed of about 15 men dressed in black shirts and white trousers approached the Ain al-Abad guard post at coordinates 2447 (map of Qazaniya). Our units reacted. At 1050 hours, the group returned towards the Iranian interior.

22. 3 October 1997

At 1030 hours an armed Iranian group composed of 5 to 8 people opened fire on two Iraqi border guards who were going to fetch water from a well located at coordinates 4013, wounding one of them in the leg.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/787
13 October 1997

ORIGINAL: ENGLISH

LETTER DATED 8 OCTOBER 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letter of 14 April 1997 to the President of the Security Council (S/1997/307), informing members of the Council of the extension for six months of the mandate of my Representative in Cambodia, Mr. Lakhan L. Mehrotra, in keeping with the spirit and principles of the Paris Agreements.

I wish to inform you in this regard that, following the appropriate consultations, I have decided on a further six months' extension of the Office of my Representative in Phnom Penh. My Representative will continue to be assisted by one military adviser.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-27125 (E) 131097

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/788
13 October 1997

ORIGINAL: ENGLISH

LETTER DATED 13 OCTOBER 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 8 October 1997 (S/1997/787) has been brought to the attention of the members of the Security Council. The members of the Council take note of the information contained in the letter and welcome your decision to extend the mandate of your Representative in Cambodia for six months.

(Signed) Juan SOMAVÍA
President of the Security Council

97-27131 (E) 131097

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/789
13 October 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 12 October 1997 from Mr. Tariq Aziz, Deputy Prime Minister, together with an unofficial translation in English, concerning relations with the Special Commission.

I should be grateful if you would have my letter and its annex, the letter from the Deputy Prime Minister, circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-27069 (E) 151097 151097 161097

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Annex

Letter dated 12 October 1997 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

Although six and a half years have elapsed since the inception of the implementation of the requirements of section C of Security Council resolution 687 (1991), the work of the Special Commission in this respect is still going on. There is no clear prospect for the date on which the Special Commission will present its report stating the completion of its tasks in accordance with section C of resolution 687 (1991), and accordingly there is no clear prospect for the implementation of paragraph 22 of that resolution.

In its previous reports and in the latest one (S/1997/774), the Special Commission laid the blame on Iraq and accused it of delaying the submission of full declarations in accordance with the requirements of paragraph 9 (a) of resolution 687 (1991), obstructing the work of the Special Commission concealing weapons, equipment and documents, together with other well-known accusations. But the Special Commission ignores, in those reports, the policy and methods it pursued over this long period that greatly contributed to this delay - which is, in essence, a deliberate political approach aimed at maintaining the embargo on Iraq.

In this letter, I should like to clarify to the Council, some very important issues related to the Special Commission's composition, its methods of work and the truth of its accusations directed against the Iraqi side as contained in its latest report.

I. THE COMPOSITION OF THE SPECIAL COMMISSION

The composition of the Special Commission on the one hand, and its methods of work and powers on the other, were all established in 1991. The whole world knows that the United States of America, in that year and for a period after that, was putting great pressure on the Security Council. There was no opportunity to deal seriously with Iraq's issues in a fair and balanced manner.

It is also known that the United States in particular, together with Britain, were doing their utmost, by word and by deed, to topple the national government of Iraq and to eliminate its national leadership.

Those circumstances seriously affected the composition of the Special Commission, its methods of work in that period and during the entire subsequent period, and the manner of selecting the individuals entrusted with the tasks of the Special Commission both at the Commission's headquarters and in Iraq. Here are some facts concerning this subject:

1. The United States, leading the hostile work against Iraq, has held, since 1991 up to now, the office of Deputy Executive Chairman of the Special Commission.

2. The number of American and British senior personnel working at the headquarters of the Special Commission, at the Baghdad Monitoring and Verification Centre and with the inspection teams conducting inspections in Iraq, is very large, to the extent that renders an activity which is supposed to be international and neutral unbalanced. In fact, most of the problems alleged by the Special Commission during the inspections occurred, except for a few cases, when the chief inspectors were American. The most recent problems cited by the Executive Chairman, in his latest report, happened to the inspection team headed by the American officer Scott Ritter. Scott Ritter himself was the chief inspector of the team which created the problems during last June that led to the adoption of Security Council resolution 1115 (1997) and the presidential statement of 13 June 1997. I remind you of my letter to the Council dated 15 June 1997 (S/1997/465).

II. THE INFORMATION SOURCES OF THE SPECIAL COMMISSION

The United States monopolizes the intelligence means on which the Special Commission depends for its aerial information, particularly the U-2 plane. Most of the inspections conducted by the American officer, Scott Ritter, were implemented under the pretext of the existence of photographs taken by this American plane of vehicle movement! We have requested many times that this means be substituted by the use of an Iraqi plane to be put fully at the disposal of the Special Commission, or by use of a plane from a neutral State that has no special objectives vis-à-vis Iraq, which would operate within Iraqi territory or from the territory of a neutral State that has no special objectives with regard to Iraq. All these legitimate requests were ignored by the Special Commission.

III. THE SPECIAL COMMISSION'S METHODS OF WORK

Over the past years, Iraq has been complaining about the forensic methods very widely adopted by the Special Commission in its work, to the exclusion of the scientific and technical methods internationally used in the matters of disarmament and verification and about the Commission's lack of neutrality and objectivity by which it should be distinguished as an organ working in the name of the United Nations.

The justifications presented by the Special Commission for its forensic methods, including the intrusive inspections widely carried out by the Commission, particularly in 1996 and 1997, are, it alleges, deliberate concealment or incomplete information provided by the Iraqi side.

A. Concealment

In June 1995, the former Executive Chairman submitted a report to the Council in which he confirmed the fulfilment of the essential requirements in the missile and chemical fields. He also confirmed that the monitoring system was effectively operational. For its part, IAEA submitted a similar report.

After the defection of Hussein Kamil from Iraq in August 1995, the Special Commission publicized the issue of concealment undertaken by Hussein Kamil. It claimed and still claims that there is a "mechanism" which administered and still administers this "concealment". The Special Commission has ignored basic facts concerning this issue, the most important of which is that the Iraqi authorities themselves discovered the documents and materials which Hussein Kamil concealed, and they voluntarily handed them over to the Special Commission and IAEA. What was discovered after August 1995 did not add anything of substance to the aspect related to disarmament.

Therefore, the material balance which the Special Commission reached in its report submitted to the Security Council in June 1995 did not fundamentally change in the missile and chemical fields, or in the nuclear sphere. The results of the examination of missile engines and of the verification of the destruction of launchers, as contained in the latest report of the Special Commission, have confirmed this fact in the missile field. I should recall that the Special Commission, a year ago, raised suspicions of the possible concealment by Iraq of an "operational missile force". The Executive Chairman was making statements referring to some numbers (6 to 16 and later 15 to 25 missiles). Finally it appeared that the sources of information of the Special Commission were wrong, rather tendentious and that the data and information provided by the Iraqi side were correct. The missiles were destroyed and buried and the launchers were destroyed as well. The conclusion reached by the Special Commission about this issue was not achieved by the forensic method exercised by the inspection teams, which conducted many intrusive inspections during 1996 and 1997 - which led to problems and crises with the Special Commission, causing the Security Council to deal harshly with Iraq - but rather, the result was achieved through "objective, scientific and technical" methods of work. The Executive Chairman referred to this approach in paragraph 143 of his latest report (S/1997/774), which reads: "In its verification process, the Commission has resorted, in some cases, to technical analyses of proscribed material conducted outside Iraq. The laboratory analyses of the missile remnants, conducted in France, the Russian Federation and the United States during 1997, constituted a good example of the fact that, <u>when Iraq allows the Commission to carry out such technical evaluation, positive results can be achieved. This approach could also produce positive results if applied to other issues requiring clarification</u>." Indeed, it was I who proposed to the former Executive Chairman in October 1996 to address the doubts about the missiles through this approach, and not the Special Commission. He agreed to this, but a deliberate prolongation occurred owing to the insistence of the former Executive Chairman on the removal of the missile remnants to one country (the United States) to be examined there. Arriving at a balanced agreement on the examination of the missile remnants took several months. Finally, when the results of the examination appeared, it became clear that the analysis could have been conducted in Iraq in accordance with what we initially proposed, and the time it took could have been reduced. This is another example of the Commission's basic responsibility for the delay.

With regard to the alleged concealment, I would like to give some examples of the behaviour of the chief inspectors:

1. During the inspections conducted by Scott Ritter and by another inspector before him, the inspector claimed that he had photographs taken by a U-2 plane of vehicle movement which took place at a certain date at the site designated for inspection. He also claimed that the vehicles were carrying proscribed materials and that they moved from the site to another location upon the arrival of the inspection team. When we asked him to show us the photographs in order to present the necessary clarifications he refused to do so. He requested us to give clarifications of an unknown occurrence. This, of course, was not possible. This was exploited in order to continue the intrusive inspections, and ask questions and conduct interviews, particularly with officials in the security services. In one case, in 1996, Scott Ritter said that the moving vehicles were carrying something like missiles. It had been proved that the alleged missiles had been destroyed and buried. Was it logical, then, to have loaded the missiles on vehicles in an exposed manner, without any cover, so that the U-2 plane could photograph them?

In many documented cases, we were able to prove that the claims of the Commission's inspectors were inaccurate. For example, the officer, Scott Ritter, and inspector Smidovic insisted, in 1992, that they had evidence that Iraq's declaration concerning the launchers was not credible. They claimed that they had aerial photographs proving that the coalition forces had destroyed a Russian launcher in the western region of Iraq and one of the British Desert Rats had smelled the oxidizer when the launcher was destroyed as he was nearby. The Iraqi side, having been provided with the information by the inspectors on the coordinates of the alleged location, was able to prove that the information was incorrect and that the vehicle destroyed at that location was not a missile launcher but a Roland launcher.

B. Information and documents

It is in Iraq's interest to provide the Special Commission with the information and documents supporting its declarations. When the Special Commission says that Iraq does not provide it with full information, it really exaggerates, and often diverges from the truth. The Special Commission deliberately ignores objective facts when we way in some cases that documents do not exist: the Iraqi authorities concerned with the proscribed weapons under resolution 687 (1991) did not expect to be subjected to inquiries by an international body about every minute detail of their activities. This is why some activities were never documented. And the documentation of activities was carried out for the purposes of the work of those authorities, not in order to convince a specialized international body.

Nevertheless, Iraq provided the Special Commission with a huge amount of the existing documents, much of which is seen as first-class documents that can settle the issue in question. But the inspectors of the Special Commission do not view these documents as conclusive and demand more. For example, the relevant Iraqi authorities submitted a document dated 15 January 1991 written by the Director-General of the Technical Research Centre, which was responsible for the production of the biological agents in the Al-Hakam plant, and addressed to his superior, Hussein Kamil. In the document he stated the quantities of the biological agents. But Dr. Sperzel, who is responsible for the biological file,

does not consider this document enough to settle the issue of the production of such agents, and demands more documents!

The other example is what the Executive Chairman cited in paragraph 42 of his latest report about one document. What he termed a "document" is not a document, but rather a personal diary of an officer in the missile service, of which several pages were handed over to the chief inspector of team 133, Dr. Sperzel, on 16 January 1996. The chief inspector did not ask him, at the time, to hand over the whole diary and did not ask the officer to keep it for future reference. About one and a half years later, on 24 July 1997, they came to ask for the diary. The question is, what is the connection between the personal diary of an officer and the issue of disarmament, particularly since the officer concerned is an officer in the missile service, the area which has been wholly clarified? Nevertheless, the Special Commission makes this an issue which is mentioned in the Executive Chairman's report to the Security Council!

C. Other deliberate methods for procrastination

After verification of the destruction of the missile engines and launchers, the Special Commission began to concern itself with minor issues and requested "a fuller explanation and understanding of Iraq's actions to retain launchers for a period after the adoption of resolution 687 (1991) and to conceal the events and timing of their ... destruction" (see paras. 28, 29 and 30 of the Commission's report (S/1997/774)).

Hence, the Special Commission asks us for explanations and clarifications, and conducts inspections and interviews when it has doubts that a number of launchers may have been concealed. However, the Commission, having verified that the launchers have been destroyed, continues to demand a full explanation why we did not mention at the time that some launchers were destroyed in October 1991 and not in July 1991. Then it proceeds on that basis to make other assumptions. In paragraph 29, the report stated that I ordered the Iraqi experts not to discuss such issues with the Commission. This is true. The Commission had already inquired about this subject and we replied. But the Commission, as usual, was not content with our response. As the Executive Chairman himself admitted in paragraph 119, the Commission, by raising such a subject, which is irrelevant to the material balance of weapons, wanted to open the door to further interviews and demands for documents, and perhaps conduct further inspections. My position on the subject was to put an end to this deliberate prolongation of matters which are not of substance. We ask the following question: What does the Commission seek from this demand? The launchers have been destroyed and their destruction has been verified. What is the difference, whether they were destroyed in July or in October 1991? Did the Security Council give Iraq something after July 1991, and now it wants to take it back when it is proved that the destruction was carried out in October and not in July? The approach in dealing with this case applies to all similar cases. The Commission raises many similar questions. It conducts a long chain of verifications on this or that date, but fails to verify the correctness of events related to the destruction of the proscribed weapons. The fact that the Security Council has not yet taken any action to alleviate the embargo on Iraq does not give the Commission and the Security Council the right to hold Iraq accountable for the date of compliance!

IV. THE METHODOLOGY OF THE SPECIAL COMMISSION'S REPORTS

The Special Commission has pursued a tendentious method in submitting its biannual reports to the Council. The best example of this is the report of the former Executive Chairman, Mr. Rolf Ekéus, of April 1997 (S/1997/301) and the latest report of Mr. Butler, of October 1997 (S/1997/774).

In these two reports, the Special Commission gives a historical background covering all the areas of its work (the missile, chemical and biological fields, monitoring and relations with Iraq). Every time, it goes back to the events of 1991 - since which six years have elapsed - and to other past incidents, many of which have been resolved. The presentation covers the bulk of the particular section. In the end of the section, and in only few lines, the Special Commission presents the final summaries of its work during the reporting period. This method is intended to confuse the past with what has been newly achieved, in a manner that makes it difficult for the reader to differentiate between the positive and the negative aspects, regardless of the correctness of the reports on the past events. Many of those reports are tendentious or inaccurate.

I have talked with Mr. Richard Butler about this method followed in the report of April 1997 and I requested him to focus in his forthcoming report on the period that it covers (April-October 1997). He promised to do so, but the new report was written in the same manner as the previous one.

There is another important observation on the latest two reports:

In the report of April 1997 submitted by Mr. Ekéus to the Council, while the Commission was propagating claims that there was "an operational missile force", Mr. Ekéus stated in paragraphs 46 and 47 of the report the following:

> Paragraph 46. "The accumulated effect of the work that has been accomplished over six years since the ceasefire went into effect, between Iraq and the Coalition, is such that not much is unknown about Iraq's retained proscribed weapons capabilities."
>
> Paragraph 47. "However, what is still not accounted for cannot be neglected. Even a limited inventory of long-range missiles would be a source of deep concern if those missiles were fitted with warheads filled with the most deadly of chemical nerve agents, VX. If one single missile warhead were filled with the biological warfare agent, Anthrax, many millions of lethal doses could be spread in an attack on any city in the region. With that in mind, the Special Commission has undertaken extraordinary efforts to bring to a satisfactory conclusion the full accounting for Iraq's weapons of mass destruction and long-range missiles, in order to be able to make sure that all the proscribed items have been disposed of."

We understand at least two points from the report of Mr. Ekéus:

1. What remains unknown about Iraq's past programmes is not much!

2. There is the assumption that there are missiles which could be used in presumed acts of war.

The report of October 1997 does not mention the volume of what remained, or whether the "not much" has become less! The method by which the latest report is presented clouds this issue.

The new report does not make it clear that the results which the Commission obtained from the analysis of the missile engines and its verification of the destruction of the launchers negate the possible existence of missiles that could be used in acts of war, as the former Executive Chairman presumed in April 1997.

Thus, the essential facts of the situation are lost. The Security Council and the international community are being deliberately misled with a view to fostering baseless suspicions about Iraq's capabilities in terms of the weapons proscribed under resolution 687 (1991).

However, this report, which covers the period from April to October 1997, clearly records in its conclusions that significant progress has been achieved in a number of important areas. Therefore this progress should have been connected with the conclusion contained in paragraphs 46 and 47 of the report of April so as to make it absolutely clear that the small area of the unknown has clearly become significantly less and that the dangerous possibilities alleged by Mr. Ekéus no longer exist.

V. THE SUBSTANTIAL AND MINOR ASPECTS OF THE WEAPONS FILE

It is known in the military industry and in disarmament that verification of the non-existence of a particular weapon is achieved primarily through making sure of the non-existence of key parts of that weapon without which the other parts cannot constitute a weapon.

In the three files of weapons (missiles, chemical and biological), there are key parts and other parts which have no consequence even if their destruction has not been fully verified.

In the missile area, any part has no operational value in the absence of the engine. If we add to this the lack of the launcher, all other parts of the missile have no operational value.

I cite this fact because of the special regard paid to the issue of "the warheads" (particularly the special warheads), by the Special Commission in its latest report.

The Special Commission knows that all the different types of special warheads were destroyed in 1991. And it verified this in 1992 by such means as documents, interviews and accounting for the remnants of the destruction. It did not request us at the time to preserve the remnants. The subject was considered as closed in the report submitted by the Special Commission in June 1995. Those remnants were left at the time in open areas and were exposed

to various actions, including excavation by some individuals searching for scrap. After August 1995, nothing new appeared in this area, except for a number of the warheads which were all previously declared as chemical, but were actually filled with biological materials.

However, the Special Commission demanded in 1997 that the warhead remnants be re-counted and that their destruction again be verified.

Now, after all these years, we have to prove to the Special Commission anew the material balance of these warheads through the excavation of the remnants. To this end, the following actions have been carried out:

1. Excavations began on 11 August 1997 and are still in progress.

2. The work of recovering the remnants of the warheads was supervised by the monitoring groups, MG-13 and MG-14 and the inspection team UNSCOM-204. UNSCOM-205 also held detailed discussions on the recovery of those parts over the period 18-26 August 1997.

The way in which the Special Commission addressed this issue gives another example of deliberate foot-dragging.

The warheads, whether conventional, biological or chemical, have no military operational value in the absence of the missile and its delivery means, the non-existence of which was confirmed through the verification of the destruction of the engines and launchers. So shall we wait for months to account for those warheads in order that the Security Council know that the requirements of section C of resolution 687 (1991) in the missile area have been fulfilled?

In paragraph 145, the Executive Chairman talks about the possibility of moving certain residual aspects to the realm of long-term monitoring after the completion of disarmament, but he says that it is up to the Council to decide upon this subject, although the Special Commission should express its views and recommendations on the subject on the basis of scientific and industrial considerations. Objectively, the issue of the special warheads and many other issues that the Commission considers as outstanding are not within the framework of disarmament, which has been achieved in all areas (missiles, chemical, biological and nuclear) and can be followed up in future within the framework of the monitoring system without delaying the implementation of paragraph 22.

To mix up the major with the minor, and the disarmament stage with the ongoing monitoring stage in addressing the details of the proscribed-weapons files, is deliberately aimed at delaying the implementation of paragraph 22 of resolution 687 (1991).

VI. THE SCIENTIFIC EVALUATION AND THE FORENSIC EVALUATION

What chemical and biological agents have been produced in Iraq are known to the Special Commission. The scientists and specialized industrialists know their types and specifications. So far, there has been a discrepancy between

Iraq's views and those of the Special Commission on the production of the chemical VX and the biological agent anthrax. While we assured the Special Commission that we had not achieved a production of military significance of VX, the Special Commission claims otherwise. We have proposed to settle the issue of VX in a scientific manner by holding seminars for the specialists, scientists and industrialists; and to address the issue of anthrax by the same approach.

With regard to other chemical activities, there is nothing of importance which remains unknown to the Commission. This has been confirmed by the Commission itself in its report of April 1997.

Although the Commission's assessment of the declaration containing our full, final and complete disclosure in the biological area submitted on 11 September 1997 was, in our view, unjustifiably negative, we notice that the panel of experts drawn from 13 Member States has assessed, in its conclusions, that in 1990 the programme was immature and still in the process of further planned expansion and development. That being the case, and since it is known that the programme has been terminated and the Al-Hakam facility has been wholly destroyed, what does the Special Commission seek by keeping the biological programme in the picture as if it still poses a threat to the security of the region?

The Special Commission is talking about weapons and biological agents that are still concealed. It behaves towards this as if we are still in 1991. It continues its inspection and requests documents and interviews with relevant and irrelevant persons in a manner that takes a long time, although it is fully aware that these agents, whether or not loaded in munitions, are no longer considered a weapon even if we suppose for the sake of argument that they still exist. The experts of the Special Commission are fully aware of the circumstances of the production, loading and storage of those agents. After the destruction of all equipment related to their production, and under the conditions of comprehensive and strict monitoring, Iraq is in no position to produce them again.

This is another example of deliberate delay in addressing the requirements of section C of resolution 687 (1991), and of the procedures adopted by the Special Commission under the influence of the powers dominating its work and conclusions with a view to delaying the implementation of paragraph 22 of resolution 687 (1991).

The foregoing clearly indicates the fundamental role played by the Special Commission in delaying fulfilment of the requirements of section C of resolution 687 (1991) and prolonging the unjust embargo imposed on Iraq. The basic reasons behind this are political, and not other reasons as the Special Commission claims in its report.

It is high time to work seriously to put an end to this situation and to take accelerated steps towards closing the files on which the work took more than six years and a half.

It is necessary and fair that the Special Commission work very quickly to move what remains in the missile and chemical areas, as it says, to the ongoing

monitoring stage, and to consider what has been achieved in these two areas sufficient for the requirements of section C of resolution 687 (1991). We are ready to start serious and extensive work to address the biological file in order to close it within a short time.

As regards this file, about which the Special Commission talks a great deal, raises doubts and makes accusations, we should like to stress three basic facts:

1. All the biological agents in Iraq's possession, including what was loaded into warheads, have been completely destroyed. The Special Commission, which says that it must verify this, has no concrete evidence to the contrary. Therefore, the verifications of this can be moved to the stage of ongoing monitoring.

2. All the sites, apparatuses and equipment used in the production of the biological agents have been completely destroyed under the supervision of the Special Commission itself.

3. All the sites which the Special Commission considers engaged in biological activity that could be of dual use, and which up to now number 87, are under strict monitoring.

Thus, there is no justification for keeping this file open in the way presented by the Special Commission in its latest report.

The problem existing between us and the Special Commission is that it does not accept our version of the history of this programme. We have stressed to the Special Commission that the programme was not advanced, well organized or continuous, because of inadequate human resources and industrial capabilities. By 1990, it was still immature. This has been confirmed by the international experts, as indicated in annex II to the Commission's latest report (S/1997/774, p. 37).

Iraq is fully confident that the requirements of section C in all areas (missiles, chemical, biological and nuclear) have been fulfilled in a manner sufficient to start the implementation of paragraph 22 of resolution 687 (1991).

Any position contrary to this conclusion is inaccurate scientifically, industrially and operationally. It is also an arbitrary position proceeding from political and not from scientific and objective considerations.

Iraq is ready to continue work with the Special Commission in a serious, scientific, technical and objective manner in order to close all these files in a very short time so that the Council may proceed to implement its obligations towards Iraq under paragraph 22 of resolution 687 (1991).

Iraq is also ready to discuss all the problems related to relations with the Special Commission and its activities inside Iraq in an objective manner with a view to finding appropriate solutions. I have confirmed this in my letter dated 5 October 1997 addressed to the Executive Chairman, Mr. Richard Butler.

For more than six years and a half, the people of Iraq have paid dearly and suffered heavy losses of its resources and industry, and exerted a lot of effort in very difficult circumstances, namely the circumstances of the embargo, which has continued since 6 August 1990. Therefore, the people of Iraq cannot continue suffering this injustice imposed upon it for a very long time. Iraq has fulfilled the obligations imposed on it, and the Security Council should meet its obligations under the resolutions themselves by starting at the earliest date to implement paragraph 22 of resolution 687 (1991). In the event that the imbalance in the situation continues, namely, Iraq continues its compliance but the Security Council does not meet its obligations under the resolutions, the situation will become absolutely unacceptable.

(Signed) Tariq AZIZ
Deputy Prime Minister

UNITED NATIONS **S**

Security Council

Distr.
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S/1997/790
13 October 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to request that you convene an urgent meeting of the Security Council in order to consider the premeditated aggression perpetrated against the Democratic Republic of the Congo.

For several weeks, the city of Kinshasa, the capital of the Democratic Republic of the Congo, has been subjected to sporadic mortar fire from the city of Brazzaville, the capital of the Republic of the Congo.

In recent days these attacks have intensified:

(a) On 29 and 30 September 1997, the shells which hit Kinshasa caused substantial material damage and the deaths of 31 innocent victims. They also seriously injured a large number of peaceful citizens, most of whom will be disabled for life;

(b) On 8 October 1997, a shell fell on the building housing the office of the President of the Republic, killing three people and seriously injuring many others;

(c) On 10 October 1997, a shell fell in close proximity to the Intercontinental Hotel, in the very heart of Kinshasa, wounding several people.

The Democratic Republic of the Congo wishes to express its deep outrage at this intolerable provocation and these gratuitous and barbarous criminal acts. It considers that the current crisis is totally unacceptable for the Congolese peoples of both Brazzaville and Kinshasa.

The Democratic Republic of the Congo wishes to state firmly that it will not shrink from any sacrifice in order to ensure its population peace, tranquillity and security.

In order to prevent any escalation of the situation between the Republic of the Congo and the Democratic Republic of the Congo, my Government invites the Security Council to assume fully its responsibilities with a view to halting this incipient crisis and restoring harmony in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) André M. KAPANGA
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

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S/1997/791
13 October 1997
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LETTER DATED 13 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to draw to your attention the fact that on 11 October 1997, a convoy of heavily armed men entered Congolese territory through the village of Pangui in Kimongo District, coming from Cabinda Province in the Republic of Angola.

The convoy consisted of five tanks, two BM-21, seven OURAL-37J personnel-carriers, two tank trucks, one engineer vehicle, one tank transporter, three Chilcas and tractor-drawn guns.

The convoy was deployed in the town of Kimongo, where it took District administrative and police officials hostage and seized all weapons at the police stations and military posts. The troops, estimated at approximately 1,000, wore either Congolese or Angolan army uniforms; some spoke French or Congolese national languages while others spoke Portuguese or English.

This act of aggression, which occurred just as the armed opposition was declaring that it had laid siege to Brazzaville International Airport and the presidential palace, in open contradiction to the facts on the ground, would appear to constitute active support for the opposition.

The Government of the Republic of the Congo condemns this involvement of the Republic of Angola in the current hostilities. The Government of the Republic of the Congo fails to see how the Angolan authorities - who are well aware of the heavy price paid by the Congolese people, in particular those in the Niari region, the current target, for their support of the struggle for independence waged by the Movimento Popular de Libertação de Angola (MPLA), especially during the tragic hours immediately preceding and following Angola's declaration of independence on 11 November 1975 - could authorize terrorist attacks against our country from their territory, thereby aggravating the troubling situation that has prevailed in the Republic of the Congo since 5 June 1997.

I also wish to inform you that on 13 October 1997, at 6 p.m. Brazzaville time, two unidentified military aircraft flew over the Congolese capital and dropped bombs, killing at least 20 civilians.

In view of the gravity of these developments, the Government of the Republic of the Congo requests that an emergency meeting of the Security Council be convened so that the Council, in exercise of its responsibilities under the Charter of the United Nations, can take the requisite preventive measures to halt such actions, which undermine the territorial integrity and national sovereignty of the Republic of the Congo and constitute a grave threat to peace and security in the Central African subregion.

The Government of the Republic of the Congo solemnly denies the allegations by the Luanda authorities of attacks on Angola by the Congo which are being used to justify raids by Angolan troops on Congolese territory.

(Signed) Daniel ABIBI
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

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S/1997/792
13 October 1997
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ORIGINAL: ARABIC

LETTER DATED 13 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

1. At 1730 hours on 5 October 1997, two Kuwaiti patrol boats, each of them gun-metal grey in colour, armed with a medium-sized machine-gun and carrying a crew of three, were observed within the demilitarized zone.

2. At 2330 hours on 5 October 1997, two Kuwaiti patrol boats, each armed with a medium-sized machine-gun, opened fire in the direction of an Iraqi coastguard vessel within Iraqi territorial waters.

I request your intervention with Kuwait with a view to inducing it to desist from such provocative practices, which are in violation of the Charter of the United Nations and the norms of international law. In accordance with the principle of State responsibility, I also affirm the legally established right of the Republic of Iraq to seek compensation for the damage caused to it by these acts of aggression.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-27171 (E) 141097 141097

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/793
14 October 1997

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication, dated 13 October 1997, which he has received from the Director General of the International Atomic Energy Agency (IAEA), Dr. Hans Blix.

97-27192 (E) 141097

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Annex

Letter dated 13 October 1997 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I wrote to your predecessor on 31 October 1996 (see S/1996/906, annex) about the then most recent developments in safeguards implementation in the Democratic People's Republic of Korea and related matters. In the light of my written report about the Democratic People's Republic of Korea (GC(41)/17 of 18 August 1997) to the General Conference of the International Atomic Energy Agency (IAEA) forty-first regular session and resolution GC(41)/RES/22 adopted at that time, I think it timely to bring you up to date with the most recent developments. I enclose copies of the two General Conference documents to which I have referred.

As foreshadowed in my letter of 31 October 1996, a seventh round of technical discussions took place in Pyongyang from 20 to 24 January 1997. Again, no progress was made about the preservation of information or on key technical measures such as taking measurements of liquid wastes at the reprocessing plant of the Democratic People's Republic of Korea to verify that there is no movement or any operation involving such wastes. Against this background, I reported to the Agency's Board of Governors, on 11 June 1997, that the safeguards implementation report for 1996 recorded the continuing inability of the Agency to verify the correctness and completeness of the initial declaration of the Democratic People's Republic of Korea and hence our inability to conclude that there had been no diversion of nuclear material.

You will see from my written report in document GC(41)/17 that, at the time of the 1997 General Conference, there had been no new developments that would have led us to change the above assessment. I also noted, however, that the Democratic People's Republic of Korea had repeatedly linked progress in their technical talks with the Agency to progress in the implementation of the Agreed Framework. The Agency Secretariat is accordingly of the view that the ground breaking at the light water reactor site should have meaningful impact.

In the light of the information given above and of the further details in my report to the General Conference about Agency activities in the Democratic People's Republic of Korea, the General Conference, at its forty-first regular session, adopted resolution GC(41)/RES/22. In that resolution, as in resolution GC(40)/RES/4 of 1996, the General Conference, inter alia, expressed its concern over the continuing non-compliance of the Democratic People's Republic of Korea with its safeguards agreement, urged the Democratic People's Republic of Korea to cooperate fully with the Agency in the implementation of that agreement, and urged the Democratic People's Republic of Korea also to take all steps the Agency might deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial declaration of the Democratic People's Republic of Korea. The General Conference also decided to remain seized of the matter.

There is now a subsequent development to report. After informal consultations in September, an eighth round of technical discussions between representatives of the Democratic People's Republic of Korea and the Agency technical team is now scheduled to take place at Vienna in the week of 20 October 1997. It is to be hoped that this further meeting will result in progress on key outstanding issues, particularly with regard to the preservation of information. We will again make clear to representatives of the Democratic People's Republic of Korea that, in the absence of prompt agreement about the measures required to preserve the relevant information, any possibility for the Agency to verify the initial declaration in the future - already diminished, as you may remember, because of the discharge of fuel rods from the 5 MWe reactor in May 1994 without the safeguards measures required by the Agency - might be lost.

I should be grateful if you would bring this letter and its enclosures to the attention of the Security Council, to which I will continue to report further developments.

(Signed) Hans BLIX

Appendix I

Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons

Report by the Director General to the General Conference

1. In resolution GC(40)/RES/4 of 20 September 1996, the General Conference, inter alia, decided:

> "to include in the agenda for its forty-first regular session an item entitled 'Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons'."

This report is prepared to provide information to the General Conference in its consideration of this item of its agenda.

THE SITUATION PREVAILING WITH REGARD TO SAFEGUARDS IMPLEMENTATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AT THE TIME OF THE FORTIETH REGULAR SESSION OF THE GENERAL CONFERENCE

2. The Director General's report to the General Conference in 1996, in document GC(40)/16 of 20 August 1996, gave the background to the developments which had taken place during the previous year in safeguards implementation in the Democratic People's Republic of Korea pursuant to the Safeguards Agreement of the Democratic People's Republic of Korea with the Agency (INFCIRC/403) and described those developments. They included the resumption of ad hoc and routine inspections (required by the Safeguards Agreement), as of March 1996, but only at facilities not subject to the freeze; the start in April 1996 of operations on the canning of the spent fuel rods at the 5 MWe Experimental Power Reactor; the verification of these rods by the Agency inspectors by measurement which, however, did not provide any information about the total amount of plutonium contained in the irradiated fuel rods; the initial discussion in June 1996 about the Agency paper, provided in September 1995, on the preservation of information which must remain available to enable the Agency to verify in the future the correctness and completeness of the initial declaration of the Democratic People's Republic of Korea under its Safeguards Agreement; the provision by the Democratic People's Republic of Korea in June 1996 of its proposal on preservation of information, which, however, covered only facilities already being inspected by the Agency and not other facilities and locations, and did not cover all the information required and did not include measures for the preservation of such information.

3. The report last year referred to the further technical discussions between the Agency and the Democratic People's Republic of Korea, which were scheduled for September 1996 in Vienna, but had not yet taken place by the time of the 1996 General Conference. The report in GC(40)/16 recorded that, while the initial technical discussions resulted in some progress in certain areas, the

Democratic People's Republic of Korea had continued to decline a number of important measures which had been left open since the first technical meeting.

4. In the light of this and of the Director General's report in document GC(40)/16, the General Conference adopted resolution GC(40)/RES/4. By that resolution, the General Conference, inter alia, strongly endorsed the actions and commended the efforts taken by the Secretariat to implement the Safeguards Agreement and to monitor the freeze in the Democratic People's Republic of Korea; it also expressed concern over the continuing non-compliance of the Democratic People's Republic of Korea with its Safeguards Agreement, called upon the Democratic People's Republic of Korea to fully comply with the Safeguards Agreement and urged it to cooperate fully with the Agency in the implementation of that Agreement.

DEVELOPMENTS OVER SAFEGUARDS IMPLEMENTATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA SINCE THE FORTIETH REGULAR SESSION OF THE GENERAL CONFERENCE

5. At the meeting of the Agency Board of Governors on 3 December 1996, the Director General reported on the sixth round of technical discussions between IAEA and the Democratic People's Republic of Korea which took place at Vienna from 23 to 27 September 1996. The Director General noted that, regrettably, no progress was made on important issues such as the preservation of information; and that, in the light of this situation, he had informed the Security Council of the United Nations on 7 November 1996 that the Agency could provide any assurance that the required information was actually being preserved.

6. At the meeting of the Board of Governors on 17 March 1997, the Director General reported that the seventh round of technical discussions, which took place from 20 to 24 January 1997 at Pyongyang, also gave meagre results. No progress was made regarding the preservation of information, or on the issue of the reprocessing plant where the Democratic People's Republic of Korea continued to decline to accept measures such as the measurement of liquid wastes to verify that there is no movement or any operation involving such wastes. The Democratic People's Republic of Korea was of the view that the Agency requirements were "excessive" and not in line with the progress in the implementation of the Agreed Framework between the United States of America and the Democratic People's Republic of Korea. The Director General informed the Board that the Agency inspectors remained on a continuous basis in the Nyongbyon area to monitor the freeze of operations at technical buildings where the Agency was implementing its verification measures and visits periodically. Such buildings were at the sites of the reprocessing plant, the fuel fabrication plant, the 5 MW reactor and the two larger 50 MW and 200 MW reactors, which had been under construction at the time of the freeze. He also said that about 60 per cent of the spent fuel rods at the 5 MWe reactor had been canned, but that the operation would not be completed before summer 1997, and that until that time there continued to be a need for three-four inspectors at Nyongbyon.

7. At the meeting of the Board of Governors on 11 June 1997, the Director General underlined that the safeguards implementation report for 1996 reported the continuing inability of the Agency to verify the correctness and completeness of the initial declaration of the Democratic People's Republic of Korea and the Agency's inability to conclude that there has been no diversion of

nuclear material. The Director General reiterated the lack of progress on important issues and said that no dates had been fixed for the next round of technical discussions.

8. As of the date of this report there have been no new developments to alter the assessments of March and June. As progress in discussions has been repeatedly linked by the Democratic People's Republic of Korea with progress in the implementation of the Agreed Framework, e.g., the ground breaking at the light water reactor site, the Secretariat is of the view that a meaningful meeting of the technical teams will not occur until after such an event.

9. Regrettably, there continues to exist a fundamental difference of view between the Agency and the Democratic People's Republic of Korea regarding the current status of the Safeguards Agreement. The Democratic People's Republic of Korea regards acceptance of measures required to enable the Agency to monitor the freeze as being solely within the context of the Agreed Framework rather than as part of the implementation of the Safeguards Agreement. The Agency regards the Safeguards Agreement with the Democratic People's Republic of Korea as binding and in force. The Democratic People's Republic of Korea has indicated that until a significant portion of the light water project is completed, but before delivery of key nuclear components, the Agency can carry out ad hoc and routine inspections under the Safeguards Agreement only at facilities not covered by the freeze. In this context, since 1996, the Democratic People's Republic of Korea had permitted ad hoc inspections at the locations outside facilities, which contain small quantities of nuclear material, in addition to inspections at facilities not subject to the freeze.

10. Cooperation from the Democratic People's Republic of Korea side remains limited. The Democratic People's Republic of Korea has accepted some verification activities, such as containment and surveillance measures which the Agency needs to carry out to monitor the freeze, but has declined other measures, such as the installation of Agency monitoring equipment at nuclear waste tanks or any sampling or measurements by the Agency at any location in the reprocessing plant and others as indicated in the text above. Moreover, the Democratic People's Republic of Korea declined measurements for assessing the total amount of plutonium in spent fuel rods from the 5 MWe reactor of the Democratic People's Republic of Korea.

11. Also, it has become apparent over the last 12 months that there are differences between the Agency and the Democratic People's Republic of Korea interpretations regarding the conditions of the freeze for the 5 MWe reactor, the fabrication plant and the reprocessing plant. The issue concerns access by inspectors for visiting from time to time technical buildings, at a particular facility site, which were not placed under the freeze in November 1994 because the Democratic People's Republic of Korea had stated at that time that they had changed their scope of operations. The Agency has been of the view that such visits are required for monitoring the freeze of the nuclear programme involving the graphite moderated reactors and related facilities. The procedures agreed with the Democratic People's Republic of Korea foresee visits of technical buildings which have changed their scope of operations. Monitoring the freeze without such visits would be limited to only certain buildings where Agency safeguards measures, including inspections, are applied. The Democratic

People's Republic of Korea stated that it had agreed to freeze technical buildings which are directly related to the nuclear programme, but not those buildings which are indirectly related to the programme. Therefore, the Democratic People's Republic of Korea could consider access for visits by Agency inspectors only on the basis of a case-by-case request by the Agency, but not as a right of the inspectors. The issue remains, so far, unresolved.

12. During 1997, there has been improvement in the means of communication between Agency inspectors in the Democratic People's Republic of Korea and Agency headquarters as well as between the Departments of Safeguards of the General Department of Atomic Energy of the Democratic People's Republic of Korea and of the Agency. The Democratic People's Republic of Korea has also accepted the designation of additional inspectors.

13. Furthermore, in January 1997, the Democratic People's Republic of Korea clarified that the nuclear graphite which was manufactured for use at the 50 MWe power reactor was subject to monitoring by the Agency. About half of the required graphite blocks were presented to the Agency and it was stated that manufacturing of such blocks and other nuclear-related equipment and components had been stopped since July 1993. This statement awaits formal confirmation by the Democratic People's Republic of Korea.

14. The canning operation for the irradiated fuel rods from the 5 MWe reactor, which started in April 1996, is about 90 per cent complete. The rods have been placed in containers which are now under Agency seals, supplementing the existing surveillance. The rest of the rods, mainly in dry storage, are expected to be placed in containers later in the year. Normally, four inspectors are continuously present in the Nyongbyon area and are being rotated every few weeks. When the canning operation is completed, at least two inspectors will remain in Nyongbyon to continue carrying out the required activities.

Appendix II

Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons

Resolution adopted on 3 October 1997 during the ninth plenary meeting

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2436 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993, GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 and General Conference resolutions GC(XXXVII)/RES/624 of 1 October 1993, GC(XXXVIII)/RES/16 of 23 September 1994, GC(39)/RES/3 of 22 September 1995 and GC(40)/RES/4 of 20 September 1996,

(b) Noting the Director General's report contained in document GC(41)/17,

(c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and the 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) Noting that the Democratic People's Republic of Korea has decided to remain a party to the Treaty of the Non-Proliferation of Nuclear Weapons and reaffirming that the IAEA-Democratic People's Republic of Korea safeguards agreement (INFCIRC/403) under the Treaty remains binding and in force,

(e) Noting also the stated intention of the Democratic People's Republic of Korea to come into full compliance with the safeguards agreement and the continuing IAEA-Democratic People's Republic of Korea discussions on outstanding safeguards issues,

(f) Noting with regret that in these discussions no progress has been made on important issues such as the preservation of information, and

(g) Regretting the withdrawal of the Democratic People's Republic of Korea from the Agency and expressing the hope that the Democratic People's Republic of Korea will rejoin,

1. Strongly endorses actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-Democratic People's Republic of Korea safeguards agreement;

2. Commends the Secretariat for its efforts to monitor the freeze of specified facilities in the Democratic People's Republic of Korea as requested by the United Nations Security Council;

3. Expresses concern over the continuing non-compliance of the Democratic People's Republic of Korea with the IAEA-Democratic People's Republic of Korea safeguards agreement and calls upon the Democratic People's Republic of Korea to comply fully with that safeguards agreement;

4. Urges the Democratic People's Republic of Korea to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the Democratic People's Republic of Korea's initial report on the inventory of nuclear material subject to safeguards until the Democratic People's Republic of Korea comes into full compliance with its safeguards agreement; and

5. Decides to remain seized of this matter and include in the agenda for its forty-second regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons."

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LETTER DATED 14 OCTOBER 1997 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 9 October 1997, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-27251 (E) 151097 161097

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Annex

Letter dated 9 October 1997 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the ninth monthly report on Stabilization Force operations. I would appreciate your making this report available to the Security Council.

(Signed) Javier SOLANA

Appendix

Ninth monthly report to the United Nations Security Council on SFOR operations

SFOR operations

1. Approximately 39,000 SFOR troops are currently deployed in Bosnia and Herzegovina and Croatia, with contributions from all members of NATO and from 20 non-NATO nations. Over the reporting period (21 August-20 September), the number of troops in theatre increased because of the support provided to the Organization for Security and Cooperation in Europe (OSCE) during the preparations for, and conduct of, the municipal elections, which took place on 13 and 14 September.

2. SFOR continued to conduct surveillance and reconnaissance by means of ground and air patrols. Over the reporting period 2,950 sorties were flown by combat aircraft, with the SFOR helicopter fleet flying a total of 102 hours.

3. Support continues to be provided to the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), with SFOR maintaining its regular, coordinated training missions over Eastern Slavonia in order to exercise plans to provide close air support if necessary.

4. Over the reporting period, there have been continuing signs of tension within the Republika Srpska and a number of clashes, reported in more detail below, between Republika Srpska crowds and SFOR troops. In addition, in late August, the pro-Pale Serb media launched a propaganda campaign against SFOR in Brcko which threatened to jeopardize stability within Bosnia and Herzegovina. In response to a request from the High Representative, SFOR was authorized to assist in curtailing or suspending media programming if required.

5. On 28 August, near Brcko, a group of approximately 70 Bosnian Serb civilians attacked SFOR personnel manning a traffic control point. The SFOR personnel were moved by armoured vehicles towards the Brcko Bridge. A group of around 400 Bosnian Serb civilians started following the troops towards the bridge, where Bosnian Serb police and the International Police Task Force (IPTF) attempted to contain the situation. Over the next few hours, the crowd at the bridge grew to approximately 1,400 people. Sticks, stones and Molotov cocktails were thrown at the SFOR troops, who responded by using riot control gas. By mid-afternoon of 29 August, the situation had calmed down and the crowd around the bridge dispersed.

6. In the afternoon of 1 September, approximately 170 Bosnian Serbs gathered near the Udrigovo radio television tower near Uglejvik complaining about the lack of broadcasts into the Brcko area. Later, two civilian buses with some 100 people headed towards Uglejvik, with another group of 100 people heading towards the television tower. Stones were thrown at the SFOR soldiers, who had deployed to the area as a result of the disturbances throughout the Republika Srpska. By mid-afternoon, approximately 200 people had gathered near the tower, and a wire barrier was constructed by the SFOR troops between themselves and the crowd. Following low-level flights by SFOR above the area and instructions to leave

relayed by aerial loud speakers, the crowd calmed down and subsequently dispersed. SFOR units remained in the close vicinity of the television tower until 5 September. Since then, SFOR has been conducting patrols nearby, in accordance with an agreement with the Republika Srpska authorities in Pale on 2 September.

7. On 6 September, the Banja Luka Public Security Centre announced that all public gatherings in the town would be banned from 7 to 11 September, thereby prohibiting a Serbian Democratic Party (SDS) rally which had been scheduled for 8 September. The Banja Luka chapter of SDS announced plans to go ahead in any event and on 8 September buses from the east and south-eastern parts of the Republika Srpska left for the rally. SFOR monitored the buses' movements and checked them for weapons by setting up traffic control points along the main routes to Banja Luka. A total of 54 buses were monitored en route to Banja Luka by the evening of 8 September. They were stopped at SFOR and civil police roadblocks outside Banja Luka and all eventually turned around and left by the early hours of 9 September. The following morning, however, it became apparent that three senior Republika Srpska politicians (Messrs. Kijac, Krajisnik and Klikovic) were trapped in a hotel in Banja Luka surrounded by a hostile crowd of between 300 and 1,000 people. IPTF and local police, with SFOR support, escorted some of the party from the hotel to be questioned by representatives of the International Tribunal for the Former Yugoslavia. They were all then released. The three politicians remained at the hotel during this time. President Krajisnik eventually left in the early evening of 9 September, heckled by crowds and escorted by two Republika Srpska cars.

8. On 17 September, a Ukrainian MI-8 helicopter flying for the United Nations crashed near Fojnica. SFOR dispatched four medical evacuation helicopters and one tactical command post helicopter to the scene. Twelve passengers were killed, among them Deputy High Representative Gerd Wagner and Deputy IPTF Commissioner David Kriskovich. The four crew members survived and were transported to the SFOR hospital at Rajlovak. Following the crash, SFOR forces provided security at the location. The United Nations is leading the crash investigation.

9. On 18 September a car bomb exploded outside a police station in West Mostar. Twenty-six people were injured and cars and buildings in the surrounding area were damaged. An investigation into the explosion is currently being conducted by Mostar Cantonal authorities, assisted by Federation authorities and under the supervision of IPTF.

Cooperation and compliance by the parties

10. The Parties remain generally compliant with most military aspects of the Peace Agreement across the whole area of operations. Despite the political tension in the Republika Srpska, the overall situation in theatre remains calm. SFOR continues to ensure a secure environment in accordance with the Peace Agreement. The programme for the reduction of cantonment sites is on schedule, freedom of movement has improved and compliance with countermine operations is generally good.

11. In line with the policy communicated to the Entity Presidents by the SFOR Commander on 7 August (see S/1997/718, annex, appendix, para. 4), SFOR has continued to enforce the compliance of the Specialist Police Units with annex 1A of the General Framework Agreement for Peace and has begun to limit their capabilities. Federation Specialist Police forces are generally compliant. As regards the Republika Srpska Specialist Police, the SFOR Deputy Commander for Operations met the Commander of the Republika Srpska police Anti-Terrorist Brigade, General Saric and the new Republika Srpska Minister of the Interior, Mr. Paleksic, on 3 September to discuss the lack of compliance with the supplementary instructions for the Specialist Police (chapter 12 of instructions of the SFOR Deputy Commander for Operations to the parties). Both indicated that they were willing to comply and would provide the necessary information by 8 September. Following the meeting, the Deputy Commander for Operations ordered a training and movement ban on all Republika Srpska Specialist Police units not in compliance with the supplementary instructions. Since the Anti-Terrorist Brigade remained non-compliant. The Deputy Commander for Operations, on 11 September, sent letters to General Saric and Mr. Paleksic summarizing the outstanding non-compliance issues and highlighting that Specialist Police had been deployed in Banja Luka on 9 September. The letters also provided the necessary direction for corrective action. Full compliance has not yet been achieved, but there has been progress.

12. During the reporting period, SFOR inspected 479 military weapons storage sites: 178 Bosniac; 146 Bosnian Croat; 2 Federation; and 153 Bosnian Serb. In addition, SFOR supported the weapon inspection campaign conducted by IPTF at local police facilities of both entities. This operation lasted 18 days, from 24 August to 10 September and 125 civil police stations were inspected: 52 from the Federation and 73 from the Republika Srpska. Forty-two civil police units showed discrepancies. Of these, 23 were Federation and 19 were Republika Srpska. The following weapons in excess of the quantity and type specified were confiscated by SFOR: from the Federation: 93 grenades; 17 anti-personnel mines; 14 anti-tank mines; 241 long-barrelled weapons; 4 rifles; 4 M-80s; 5 pistols; 1 rocket-propelled grenade; and 3 sub-machine guns; and from the Republika Srpska: 170 grenades; 2 anti-personnel mines; 8 anti-tank mines; 104 long-barrelled weapons; 15 rifles; 2 M-80s; 15 pistols; and 6 rocket-propelled grenades.

13. A number of minor discrepancies were discovered during the SFOR inspection of weapons storage sites over the reporting period, and the following weapons confiscated: from the Bosnian Croats, six AK 47 rifles, one grenade launcher, three small arms and 112 x 7.62 rounds of ammunition; from the Bosnian Serbs, one AK 47 rifle and 3 x 60 mm mortars; and from the Bosniacs, none. In accordance with SFOR policy, after a period of time to allow for appeals, all these confiscated weapons will be destroyed.

14. Over the reporting period, two illegal check points were dismantled, both in the Republika Srpska. On 30 August, Republika Srpska police were observed demanding 50 DM each from two individuals to cross the Brcko bridge. IPTF intervened and the Republika Srpska police complied with their demand to desist. On the same day, the Deputy High Representative in Brcko, Ambassador Farrand, issued a supervisory order instructing Republika Srpska police authorities immediately to halt the practice of charging visa fees for vehicles crossing the

Brcko Bridge from Croatia. Ambassador Farrand also demanded that all activities by Republika Srpska police and customs authorities related to the collection of road toll charges at the bridge be stopped without delay. On 13 September, a SFOR patrol and IPTF dismantled an illegal check point at Trnovo police station, set up by 5 Republika Srpska policemen. There was no resistance. Overall, the SFOR/IPTF checkpoint policy continues to improve freedom of movement. IPTF, with SFOR support, are pursuing their objective of reducing the number of human rights violations by monitoring the daily activity of the local police, accompanying regular police on patrol and reporting on the application of the law.

15. In late August, Republika Srpska President Plavsic agreed to bring the Republika Srpska police under the jurisdiction of the IPTF certification and restructuring programme. Approximately 800 police, primarily in the Banja Luka area, have entered the IPTF programme.

16. During the reporting period, SFOR monitored a total of 532 training and movement activities: 269 by the Bosniacs; 131 by the Bosnian Croats; and 132 by the Bosnian Serbs. During the period of the municipal elections, all movement and training activities were banned for all Entity Armed Forces from 8 to 21 September. The ban also applied to air activities and the call up of reserves. The only exceptions related to the countermine campaign, weapons reductions being carried out under the auspices of OSCE and site reductions in accordance with the 25 per cent reduction plan. On the election days (13 and 14 September), all Entity Armies were continued to barracks.

17. Over the reporting period, Entity personnel, under SFOR supervision, removed 3,510 explosive devices from 292 mined areas: 349 anti-tank mines; 2,849 anti-personnel mines; and 312 items of unexploded ordnance. This marks the best monthly performance ever reported. In general, compliance has improved considerably over recent months, and no training and movement bans have been imposed since 7 September. Bans were however in effect until 21 September for non-compliance with the countermining guidance. These bans were placed on the movement and training of the third and fifth VRS corps in Multi-National Division (North) and on the fifth VRS corps in Multi-National Division (South East).

18. On 19 August, a meeting of the Inter-Entity Boundary Line Sub-Commission took place in Lukavica, when the parties agreed on the exchange of the village of Dobocani (to the Federation) for the village of Koprivna (to the Republika Srpska). The ratification of this Agreement is pending.

19. On 26 August, there was a meeting of the Joint Military Commission at SFOR headquarters. The main issues discussed were the power struggle in the Republika Srpska, the de-mining process, cantonment sites and the handing over of prisoners of war. With respect to prisoners of war, the Entity Army commanders were asked to ensure that there were no prisoner of war detainees in any facility for which they were responsible. The Commanders' written confirmation is still awaited.

20. Since the implementation of the Peace Agreement, approximately 1,100 prisoners of war have been released under the auspices of the International

Committee of the Red Cross (ICRC). ICRC is currently assessing the conditions of detention and treatment of people belonging to minority ethnic groups detained by another ethnic group (referred to as common-law detainees) and persons accused or sentenced for war crimes. As of August, the persons belonging to this latter category numbered less than 20.

Cooperation with international organizations

21. Within its capabilities, SFOR continues to offer assistance to the international organizations in theatre. As noted above, SFOR continues to provide security to IPTF in its inspections of specialist police units, with the aim of bringing these latter into compliance with annex 1A of the Peace Agreement.

22. Increased support has also been provided to the Office of the High Representative, notably during the Banja Luka incident detailed in paragraph 7 above, when prompt action by SFOR and the Office of the High Representative defused a potentially critical situation. In addition, SFOR and the Office of the High Representative continued negotiations with the parties with a view to reaching agreement on aviation matters. On 11 September, after considerable pressure, the Council of Ministers signed the agreement on the Department of Civil Aviation. The memorandum of understanding for the opening up of the regional airports of Banja Luka, Mostar and Tuzla was subsequently signed on 12 September during the visit to Sarajevo by the NATO Secretary-General. Work is now proceeding apace with a view to certifying the regional airports and to opening them up to civilian traffic.

23. SFOR continues to support international agencies promoting the expansion of alternative media, and assists both the Office of the High Representative and OSCE in expanding the Open Broadcast Network and the Free Elections Radio Network. Additionally, SFOR is a key participant in the various international community media organizations.

24. SFOR provided significant security and logistical support to the OSCE during the conduct of the municipal elections in Bosnia and Herzegovina on 13 and 14 September. In part because of the increased SFOR presence, the overall situation in the theatre remained generally calm. Operations proceeded smoothly, even although there were some cases of isolated violence. As planned, SFOR supported the municipal elections with area security protection, while IPTF and local police provided local security. SFOR maintained a visible presence in key election areas throughout the polling to ensure a secure environment. SFOR aviation and ground assets continually conducted route reconnaissance and reported on the conditions of all voter routes. As anticipated, voter movement across the Inter-Entity Boundary Line and within the Federation was moderate and largely without incident. SFOR units closely controlled bus movements across the Inter-Entity Boundary Line. SFOR continued to provide security at the two OSCE counting locations during the tabulation process.

25. In terms of logistical support, SFOR's Beluga Group distributed polling material to the Multi-National Division's storage distribution centres, following which the Multi-National Division delivered the materials to the Local Election Commissions who, in turn, delivered them to the approximately 2,300

polling stations. SFOR aircraft also picked up the elections materials during polling days and delivered them to Sarajevo for re-sorting by OSCE election officials. Once sorted, SFOR aircraft delivered them to appropriate OSCE sites in designated cities. After the polling days, SFOR also returned the completed ballots to Sarajevo for counting and storage.

26. During the implementation phase, SFOR will continue to provide a secure environment, providing area security and supporting the IPTF. SFOR is participating fully in the OSCE Election Results Implementation Committees at national and five regional levels. The Committees will monitor the installation of elected candidates and coordinate responses to problems.

27. SFOR has continued to provide data on Entity weapons holdings to the Personal Representative of the OSCE Chairman-in-Office under the terms of article IV of the Peace Agreement. SFOR has also assisted in the movement of weapons to reductions sites and has established a direct field level liaison with OSCE weapons experts for the purpose of refining the SFOR cantonment data. During the month of August, following agreement from the Supreme Allied Commander, Europe arms control experts working for OSCE accompanied SFOR during routine cantonment site inspections, with the aim of identifying equipment falling under the terms of the Agreement on Subregional Arms Control and thus obtaining further clarification of discrepancies between SFOR reports and holdings reported by the parties. The Federation willingly accepted this assistance, and SFOR consequently conducted its August Federation inspections accompanied by these experts. Similar inspections in the Republika Srpska have not yet taken place.

28. On 15 September, the Standing Committee on Military Matters met in Sarajevo with President Zubak in the chair. This was the 1st meeting of the Committee since agreement on procedures was reached at the end of August. SFOR was represented by the SFOR Commander and by the Deputy Commander for Operations. The atmosphere was constructive, and outstanding differences on the chairmanship and location of meetings were resolved. The Office of the High Representative agreed to assist the Military Advisors of the Presidents in preparation for the next meeting on 15 October, and on a six-month strategic plan for the Committee. In particular, following short statements from the three Presidents, it was agreed that, at the next meeting, they would take a paper proposing a way ahead on the appointment of defence attachés.

Outlook

29. With the municipal elections now over, SFOR has begun initial planning, in close cooperation with OSCE, for the forthcoming elections in the Republika Srpska.